resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.

As regards Criminal Procedure Code, the Law Commission of India has comprehensively reviewed the Code of Criminal Procedure, 1973. The Government has recently appointed a Committee under the chairmanship of Shri Justice V.S. Malimath, to suggest measures for revamping the Criminal Justice System.

Government has sanctioned a scheme involving an amount of Rs. 502.90 crore for creation of 1734 Fast Track Courts for expeditious disposal of long pending sessions cases and cases involving undertrials in jails, on priority. The scheme is in operation with effect from April, 2001.

Loopholes in law

†2961. SHRI RAMA SHANKER KAUSHIK: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the sufferers/victims do not get justice due to loopholes in laws;

(b) whether Government propose to make modifications in present Criminal Procedure Code and Evidence Act;

(c) if so, the details thereof; and

(d) if not, the reasons therefor and the steps that Government should take to provide justice to the victims?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY): (a) Procedural lacunae may be one of the reasons why the sufferers/victims do not get justice due to loopholes in laws. Some of the reasons for injustice, *inter alia,* can be attributed to the nature of the procedural laws, practices and procedures followed by criminal courts and the inadequacies of the investigating and prosecuting agencies.

(b) to (d) As regards amendment of Criminal Procedure Code, the Code of Criminal Procedure (Amendment) Bill, 1994 introduced in the Rajya Sabha on 9th August, 1994 has, *inter alia,* the following proposals to provide for speedy disposal of cases:—

†Original notice of the question was received in Hindi.

(i) Clause 26. The proviso to section 223 of the Code of Criminal Procedure, 1973 provides that the Magistrate on an application of the accused persons may direct their joint trial even if they do not fall in the categories specified, if he is satisfied that such persons would not be prejudicially affected thereby. In the interest of prompt disposal of cases, scope of this proviso is being widen to enable to the Court of Sessions also to hold such trials.

(ii) Clause 27. Under section 228 of the Code of Criminal Procedure, 1973, a Sessions Judge can transfer a case only to the Chief Judicial Magistrate. The proposed amendment seeks to give discretion to the Sessions Judge to transfer the case to the Chief Judicial Magistrate or to any other Judicial Magistrate of the First Class and to fix a date for the appearance of the accused before the Chief Judicial Magistrate or the Judicial Magistrate, as the case may be, so that a lot of time, which is wasted in summoning the accused by the Magistrate, may be saved.

(iii) Clause 28. Under sub-section (1) of section 260 of the Code of Criminal Procedure, 1973 a Magistrate has a discretion to try offences specified therein either summarily or in a regular way. It is proposed to amend this sub-section to make summary trial of offences specified therein mandatory. It is also proposed to provide that the offence of theft and other cognizable offences, namely, offences under sections 379,. 380, 381, 411 and 414 of the Indian Penal Code, 1860 may be tried summarily where the value of the property involved does not exceed two thousand rupees instead of two hundred rupees at present.

The Government of India has also set up a Committee under the chairmanship of Justice V.S. Malimath to suggest measures to revamp Criminal Justice System in the country. The Report of the Committee is awaited.

At present, there is no proposal to amend the Indian Evidence Act, 1872.

In addition to above, various steps have been taken by the Government for the speedy disposal of both civil and criminal cases. These include amendment of the Civil Procedure Code and the Code of Criminal Procedure, increase in the number of posts of Judges/Judicial Officers, establishment of Special Courts/tribunals, Fast Track Courts, computerisation of courts, and adoption of alternative modes of dispute resolution, such as, arbitration and conciliation. Lok Adalats have been given a statutory base as supplementary forum for resolution of disputes.